

1 **ORIGINAL**2 UNITED STATES DISTRICT COURT
3 SOUTHERN DISTRICT OF CALIFORNIA**FILED**

MAY 02 2007

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

No. 07-mc-00248

IN THE MATTER OF THE
 APPLICATION OF THE UNITED
 STATES OF AMERICA FOR AN ORDER
 AUTHORIZING THE DISCLOSURE OF
 SUBSCRIBER AND OTHER
 INFORMATION, INCLUDING CELL
 SITE INFORMATION
)
 IN RE: YOLANDA GUTIERREZ-
 CASTRO
)
)
)

ORDER FOR SUBSCRIBER AND OTHER
 INFORMATION, INCLUDING CELL SITE
INFORMATION**[FILED UNDER SEAL]**

This matter having come before the Court upon application of the United States Attorney by Jonathan I. Shapiro, Assistant U.S. Attorney, acting pursuant to Title 18, United States Code, Section 2703(c), requesting an Order pursuant to Title 18, United States Code, Sections 2703(c) and (d) directing service providers to disclose subscriber and other information including cell site information regarding the cellular telephone currently bearing telephone number **760-460-2076** (the "subject telephone") and subscriber and other information for persons called by the subject telephone or calling the subject telephone;

The Court finds as follows:

1. The applicant has set forth specific and articulable facts showing that there are reasonable grounds to believe that the subscriber and other information sought, including cell site location information, is relevant and material to an ongoing criminal investigation of Yolanda Gutierrez-Castro and offenses by the investigating agency;

Accordingly, IT IS ORDERED that:

a. The service provider shall disclose the location of the single primary cell site/sector (physical address) at call origination and call termination for each incoming and outgoing call for the period February 15, 2007, through March 15, 2007;

b. This Order applies to any changed telephone number subsequently assigned to the same ESN, IMSI or UFMI utilized by the subject telephone;

c. This Order applies to **NEXTEL Communications** and to any person or entity providing wire or electronic communication service in the United States ("service providers"), upon

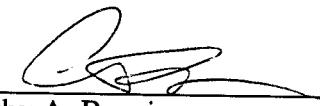
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2 being served with a copy of this Order. Service providers not specifically named in this Order, after
3 being served and upon their request, are entitled to receive written or electronic confirmation from the
4 attorney for the United States or a representative of DEA that this Order applies to them. Refusal to
5 then comply with this Order may constitute a contempt of court;

6 d. The service providers shall disclose published and non-published subscriber and
7 other information for the subject telephone and for callers to and from the subject telephone for the
8 period February 15, 2007, through March 15, 2007. The information shall include the names and
9 addresses of the subscribers and callers; local and long distance connection records (including Direct
10 Connect, push-to-talk, or other two-way communication records); length of service (including start
11 date) and types of service utilized; all subscriber or caller numbers or identities; and means and source
12 of payment for service (including any credit card or bank account number);
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14 e. The service providers and their agents and employees shall not disclose to the
15 subscriber or lessee of the subject telephone or to any other person, the existence the request for
16 subscriber and cell site information, or the existence of the investigation unless otherwise ordered by
17 the Court;
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f. This Order is sealed until further Order of the Court.

19 DATED: 5/1/07.

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Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE